

Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 10 February 2023 at 10.00 am

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Barrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Clare Davies, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Kath Hey, David Hitchiner, Helen I'Anson, Terry James, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Tim Price, Ann-Marie Probert, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

In attendance: Councillors Peter Jinman* and Roger Phillips*

Officers: Chief Executive, Chief Finance Officer, Director Law and Governance, Corporate Director - Economy and Environment*, Corporate Director - Children & Young People*, Corporate Director Community Wellbeing*, Head of Legal Services and Democratic Services Manager

* denotes virtual attendance.

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jennie Hewitt, Phillip Howells, Peter Jinman, Tony Johnson, Roger Phillips and Paul Rone.

49. DECLARATIONS OF INTEREST

None.

50. MINUTES

RESOLVED: That the minutes of the ordinary meeting held on 9 December 2022, subject to the updated appendix of public questions, be confirmed as a correct record and signed by the Chairman.

51. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman and Chief Executive's announcements as printed in the agenda papers.

52. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 16)

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

53. COUNCIL TAX PREMIUMS ON SECOND HOMES AND EMPTY PROPERTIES

Council considered a report by the Cabinet Member Finance, Corporate Services and Planning to determine proposed changes to Council Tax liabilities with regard to second homes and empty properties.

The Cabinet Member Finance, Corporate Services and Planning proposed the recommendations and introduced the report.

The Leader seconded the recommendations for approval.

Council debated the report.

A named vote was held to agree the proposed changes to Council Tax liabilities set out in the report. The proposed changes were carried unanimously.

FOR (47): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Clare Davies, Gemma Davies, Durkin, Fagan, Foxtan, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hey, Hitchiner, l'Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Millmore, Milln, Norman, Price, Probert, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Tillet, Toynebee, Tyler, Watson and Wilding.

Against (0)

Abstentions (0)

RESOLVED: That

a) Council approves the following additional Council Tax premiums be applied from 1 April 2024, subject to the referenced legislation being approved:

- **100% premium for second homes;**
- **100% premium for properties which have been empty and unfurnished for a period of between 1 and 2 years.**

54. 2023/24 COUNCIL TAX REDUCTION SCHEME

Council considered a report by the Leader to agree the council tax reduction scheme for 2023/24.

The Cabinet Member Finance, Corporate Services and Planning proposed the council tax reduction scheme for 2023/24 and introduced the report.

The Leader seconded the council tax reduction scheme for 2023/24 for approval.

Council debated the report.

A named vote was held to agree the council tax reduction scheme set out in the report. The scheme was carried unanimously.

FOR (47): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Clare Davies, Gemma Davies, Durkin, Fagan, Foxtan, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hey, Hitchiner, l'Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Marsh,

Matthews, Millmore, Milln, Norman, Price, Probert, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Tillett, Toynbee, Tyler, Watson and Wilding.

Against (0)

Abstentions (0)

RESOLVED:

That: a) The Council Tax Reduction Scheme for 2023/24, with the same parameters as the existing scheme, be approved.

55. 2023/24 CAPITAL INVESTMENT BUDGET AND CAPITAL STRATEGY UPDATE

Council considered a report by the Leader to approve the 2023/24 capital investment budget and capital strategy update.

The Cabinet Member Finance, Corporate Services and Planning moved the report and proposed the recommendations.

The Leader seconded the report and the recommendations.

Council debated the report and the following actions were raised:

- To provide a written response regarding potential delays to the capitalisation of projects in the capital programme and the impact on the revenue budget;
- To provide a written response with detail of the number of rough sleepers currently in Herefordshire.

The 2023/24 capital investment budget and capital strategy update was put to the recorded vote and carried unanimously.

FOR (47): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Clare Davies, Gemma Davies, Durkin, Fagan, Foxtton, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hey, Hitchiner, l'Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Millmore, Milln, Norman, Price, Probert, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Tillett, Toynbee, Tyler, Watson and Wilding.

Against (0)

Abstentions (0)

RESOLVED:

That Council:

a) Approve the proposed capital programme from 2023/24 attached at appendix C; and

b) Approve the capital strategy at appendix D.

56. 2023/24 BUDGET SETTING

Council considered a report from the Leader to set the 2023/24 budget. Council noted the following supplements published following the despatch of the agenda:

- Budget Council meeting procedure 2023 published on 3 February;
- Addition of recommendation to the 2023/24 Budget Setting report published on 9 February [j) *the additional government grant of £680k confirmed in the final local government settlement announced on the 6th of February to fund:*
 - *£480k For Phosphate Commission to deliver a robust process to achieve scientific, legal and regulatory certainty on river restoration and achieve earliest lifting of the Lugg catchment development moratorium; and*
 - *£200k For parish grants to fund PROW (Public Rights of Way) structures (bridges, gates, styles, etc.) installation, in liaison with Herefordshire Council’s PROW team];*
- Budget amendments 2023/24 published on 9 February; and
- Additional S25 opinion of the S151 officer following the publication of budget amendments published on 9 February.

The Cabinet Member Finance, Corporate Services and Planning introduced the report and moved the budget.

The Leader seconded the report and the budget.

Councillor Ellie Chowns, as Group Leader of The Green Party Group spoke on the budget.

Councillor Bob Matthews, as Group Leader of the True Independents Group spoke on the budget. Councillor Matthews confirmed the withdrawal of his budget amendment.

Council debated the budget.

Councillor John Harrington, as Group Leader of the Independents for Herefordshire Group spoke on the budget.

Councillor Terry James, as Group Leader of the Liberal Democrat Group spoke on the budget.

The Cabinet Member Finance, Corporate Services and Planning closed the debate.

(There was an adjournment at 12:30 p.m.; the meeting reconvened at 12:44 p.m.)

Amendment 1 – Proposed by Councillor Nigel Shaw and seconded by Councillor Jonathan Lester

Extra Funding for Rural Roads and Herefordshire Athletics

This amendment seeks to allocate the additional £611,909 Rural Services Delivery Grant to the Highways Capital Investment Budget within the capital budget. This sum to be effectively “ring –fenced” to be spent on u and c rural roads in recognition of the source of the funding. The aim will be to support the extra cost of delivering services across rural areas by improving the road infrastructure which is so necessary for service delivery.

The amendment also seeks to match the funding allocated by Hereford City Council to support the refurbishment of Herefordshire’s County Athletics track, to retain a quality facility to the benefit of those living in the whole county.

Currently this funding is being allocated to the general reserve. To put this money in reserves would send the wrong message to civil servants and the HM Treasury, namely that Herefordshire doesn't need the funding.

Councillor Shaw proposed the amendment.

Councillor Lester seconded the amendment.

Council debated the amendment.

The Cabinet Member Finance, Corporate Services and Planning, as the mover of the original motion, spoke before the vote on the amendment.

The amendment was put to the recorded vote and was lost by a simple majority.

FOR (21): Councillors Polly Andrews, Bartrum, Bolderson, Clare Davies, Durkin, Gandy, Guthrie, l'Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Matthews, Millmore, Price, Probert, Shaw, Stark, Stone and Tillett.

Against (23): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowes, Chowns, Crockett, Gemma Davies, Fagan, Hardwick, Harrington, Harvey, Hey, Hitchiner, Marsh, Milln, Norman, Summers, Symonds, Toynbee, Tyler, Watson and Wilding.

Abstentions (3); Councillors Bowen, Foxton, and Swinglehurst

The 2023/24 budget and associated medium term financial strategy, treasury management strategy and minimum revenue provision, as recommended by Cabinet, was put to the recorded vote and was approved by a simple majority.

FOR (24): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowes, Chowns, Crockett, Gemma Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hey, Hitchiner, Marsh, Milln, Norman, Summers, Symonds, Toynbee, Tyler, Watson and Wilding.

Against (22): Councillors Polly Andrews, Bartrum, Bolderson, Clare Davies, Durkin, Gandy, Guthrie, l'Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Matthews, Millmore, Price, Probert, Shaw, Stark, Stone, Swinglehurst and Tillett.

Abstentions (1); Councillors Bowen.

RESOLVED:

That: Council approves:

- a) the council tax base of 71,073.11 Band D equivalents in 2023/24;**
- b) an increase in core council tax in 2023/24 of 2.99%;**
- c) an additional precept in respect of adult social care costs of 2% applied to council tax in 2023/24 resulting in a total council tax increase of 4.99%, increasing the band D charge from £1,701.70 to £1,786.61 for Herefordshire Council in 2023/24;**

- d) the balanced 2023/24 revenue budget proposal totalling £193.3m, subject to any amendments approved at the meeting, specifically the net spending limits for each directorate as at appendix C;
- e) the revenue budget includes £4.0m for All Ages Social Care to fund edge of care and prevention services for all ages and the continuation of support for low income households;
- f) delegates to the section 151 officer the power to make necessary changes to the budget arising from any variations in central government funding allocations via general reserves;
- g) the Medium Term Financial Strategy (MTFS) 2023/24 to 2026/27 at appendix A;
- h) the Treasury Management Strategy at appendix D be approved;
- i) the revised methodology used to calculate the annual MRP charge, noted in appendix D, be approved; and
- j) the additional government grant of £680k confirmed in the final local government settlement announced on the 6th of February to fund:
 - £480k For Phosphate Commission to deliver a robust process to achieve scientific, legal and regulatory certainty on river restoration and achieve earliest lifting of the Lugg catchment development moratorium; and
 - £200k For parish grants to fund PROW (Public Rights of Way) structures (bridges, gates, styles, etc.) installation, in liaison with Herefordshire Council's PROW team.

57. PAY POLICY STATEMENT

Council considered a report by the Chairperson of the Employment Panel to approve the pay policy statement for 2023 – 2024.

The report and recommendation was moved by the Leader (as chairperson of the employment panel) and seconded by the Cabinet Member for Environment and Economy (as vice-chairperson of the employment panel).

The pay policy statement was put to the vote and approved by a simple majority.

RESOLVED – That:

- (a) the pay policy statement at appendix A is approved for publication.**

58. PERMANENT REPLACEMENT OF ONE POLLING STATION

Council considered a report by the Returning Officer to approve the addition of one new polling station.

Councillor Sebastian Bowen proposed the recommendations in the report. Councillor Barry Durkin seconded the recommendations in the report.

The recommendations in the report were put to the vote and were carried unanimously.

RESOLVED:

That:

- a) The Marden Community Centre which is no longer available for use is closed, and**
- b) Council agrees that the Marden Links Community Hub, Walker Green Marden, Hereford, HR1 3DN station be approved.**

The meeting ended at 2.05 pm

Chairperson

Appendix 1 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Stinton, Leominster	My question is how can it be ok for a council tax monthly bill be equivalent to almost a one weeks wage at minimum wage? Not to mention having to pay NI tax and other bills. You need to think of other ways to create revenue, this area is not a high paying region.	Cabinet member finance, corporate services and planning
<p>Response: Thank you Mr Stinton for your question.</p> <p>The Council relies on income from Council Tax, alongside other funding sources from Government, to deliver services across the county. The Council recognises the challenging financial climate and its impact on individuals and we have increased to £1.7m the additional funding we are targeting to support households in hardship.</p> <p>In addition, this budget ensures that Council Tax Reduction Scheme continues to provide support to those most in need with more than 11,500 households expected to receive 100% discount on their council tax through this scheme – paying no council tax at all. The scheme provides support to eligible households regardless of their council tax banding.</p> <p>The 2023/24 budget includes additional sources of income generation activity to further limit the pressure on local tax raising and to manage our financial challenges internally as much as possible.</p>			
PQ 2	Mr Goulding, Hereford	<p>I am a tradesman working regularly in Hereford City and have to park with my vehicle for access to tools etc. When on a job that could perhaps take me 2 to 3 hours I find myself having to rush to keep within the maximum 2 hour pay and display limit on “parking restricted zones”. I know I could buy £15 day permit but for a 3 hour slot is not cost effective. Couldn't it be possible for trades people to buy 1 hour slots beyond the 2-hour limit as and when needed?</p> <p>This parking restriction is making our jobs impossible.</p> <p>I am not asking for free parking, I recognise that parking income plays an important part in the budget to be discussed today, just a little flexibility to allow me to do my job and provide a service.</p>	Cabinet member infrastructure and transport

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Response:

I thank Mr Goulding for his question, which is well reasoned. Tariffs are applied in the most central Hereford streets in order to manage the turnover of parking spaces, and encourage drivers to park further out where they can. Dispensations are available to trades people across the county that have a need to leave their vehicle in contravention of a parking restriction, and where approved a permit will be issued. The Parking Team can be contacted on the telephone number displayed on the front of the machine for specific assistance on the day, and members of the public are encouraged to do this. If someone needs a full day then a permit is the best answer at £15. We are looking at a half day permit and also looking at further variations when we go to virtual permits, but at present, someone like Mr Goulding is best advised to ring the parking team to make arrangements – on the day or in preferably in advance of starting a job.

PQ 3	Mr Stevens, Ledbury	Outsourcing services to private companies is expensive. Given the dangerous failures on Hereford roads and pathways, what is being changed to this failing system to stop overpayment of tax for underperformance in road and street cleaning maintenance which includes unsound pothole repair and roads not being cleaned to a COPLAR B standard at all?	Cabinet member infrastructure and transport
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Response:

Thank you Mr Stevens for your question. The Public Realm Contract was let in 2013 by the previous administration and the procurement of the contract followed best practice at that time to ensure that the Council was able to enter into a contract that delivered best value for the funds provided.

Maintaining an authority’s highways network and public realm is expensive and is not likely to be any less expensive if those services were delivered in-house, with the potential cost of bringing those services back in-house being considerable. The issue for us as a new administration was whether or not that contract awarded in 2013 still provided good value for money, and, crucially, whether or not we could demonstrate that. Cllr. Gemma Davies, Cllr. Liz Harvey and myself asked for an assessment of that to be carried out by external auditors. That report, in crude summary, said the contract itself was OK, good in fact, but we, on Herefordshire Council side, were not necessarily in a position to monitor that contract as robustly as we would want to.

Following on from that and noting the clauses around contract extensions, we commissioned an assessment of the different types of contracts the Council could move to; what the cost benefits were of those future models might be and what the process and timescales would be. That piece of work is going to Cabinet shortly for consideration of a preferred approach. Whatever the final outcome of that report in terms of recommendation of a future model for the service it is likely that some technical staff, who moved over en-masse to BBLP in 2013, will return to Herefordshire Council employ. This will enable us to satisfactorily oversee any future contract of whatever model and give better direction.

In relation to the poor state of our network I do not believe that is due to failure to get best value out of our current contract but due to the severe impact of the government’s policy of Austerity. BBLP maintains our network on our behalf to the best of its ability, within the constraints of what funding is available to them. It has been estimated that we are spending approximately £5 million a year on maintaining our public realm in 2022 compared to nearly £15 million in 2011. This cannot continue, but it’s not, sadly, within our power as a local authority to replace the full value of the money eroded by the severe reduction in central government grants and I would urge all residents to lobby for fairer funding for rural authorities like Herefordshire.

With what little money we do have as a highways authority we prioritise on a safety matrix, making sure more money is spent on faster, larger roads – to the detriment, often, of C and unclassified and urban streets. This has meant we have done and will continue to do our utmost to ensure collisions are not caused by road defects.

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Similarly, as an authority we focus our litter collection and cleansing functions toward maintaining our high amenity areas. This does mean that the City and Town centres are maintained to a higher standard than other urban and inter-urban routes but it is arguably not to the standard we would wish if we had more resource.

Where services are delivered, in line with the Annual Plan and the available budgets, then the Council does have a team that checks for compliance in terms of

- cost to provide,
- quality of delivery
- timeliness of delivery and
- appropriateness of the action taken

Where issues are found then the Council does issue instructions to rectify the works and for that work to be undertaken at the provider's expense.

The Public Realm Contract does have a suite of performance indicators that are measured and monitored. I can confirm that the provider is currently achieving the various targets set jointly by the Strategic Partnering Board.

Supplementary question:

Given that effective communication with councillors and administrative staff is poor, posing a severe and real lack of accountability to those in positions of delegated power, does the Council understand the lawful and legal requirements set out in administrative procedure and conduct such as the Nolan Principles? If so, why not collectively act upon them?

Response to supplementary question (cabinet member infrastructure and transport):

The Council seeks to uphold the Nolan principles and to remain accountable.

PQ 4	Ms Liddle, Ledbury	The Government has published a detailed national plan of action to improve how sexual violence is handled throughout the criminal justice system. This includes the words: <i>ensuring every victim has access to the right therapeutic and clinical support, and the right emotional and practical support</i> . I am concerned that words like "savings and efficiencies" may mean reduced services, or services commissioned that aren't specialist enough. How will the Council ensure that funding and resources are available for local specialist services that can help deliver the Government's aim, and ensure the right help is there locally for those who need it?	Cabinet member health and adult wellbeing
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Response:

The Council has a strong role in working in partnership with others to ensure that the right quality and capacity of victim/survivor support is available. We work closely with the justice system and the NHS who carry primary commissioning duties in this regard. We are part of the Police and Crime Commissioner-led Joint Sexual Assault and Abuse Strategic Board which works collaboratively to deliver the priorities of the NHS Strategic Direction for Sexual Assault and Abuse Services and the recommendations of a Sexual Violence Mental Health Needs Assessment. However, the council is not directly responsible for funding specialist counselling or clinical support services and we are therefore unable to comment on commissioning intentions with this regard. We have noted that additional funding has now been made available through the PCC for services for survivors of sexual assault in 22/23 & 23/24.

Council officers lead the Sexual Violence sub-group, which reports into the Community Safety Partnership, and contribute to needs assessment, pathway review and evaluation, with a focus on whole system prevention. In this way, the Council strengthens the evidence base on which decisions are made by the bodies with statutory duty.

PQ 5	Ms Shore, Hereford	The Domestic Abuse Act 2021 places a clear duty on local authorities to provide safe temporary accommodation for victims of domestic abuse, but fails to recognise the importance of community-based support as victims seek to preserve their safety and build their lives. Substantial evidence shows that peer-support programmes like The Domestic Abuse Recovery Toolkit – tried and tested across UK – are fundamental to this process. In 2022 32% (432) of all referrals to Herefordshire domestic abuse services were for group support. Only 8.6% were for accommodation-based support – including refuge. In light of the forthcoming budget, will Herefordshire Council ensure that it maintains the resources needed to provide non accommodation-based services, continuing to support women who have been able to remain in their own homes, or who are still recovering from the trauma of domestic abuse which they escaped some time ago?	Cabinet member health and adult wellbeing
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Response:
The council is committed to providing community based and accommodation based support for victim-survivors of domestic abuse. Since the Domestic Abuse Act 2021, the council, in common with all local authority areas, has been granted funding from the Department of Housing, Levelling Up and Communities to provide additional support within safe accommodation. During this time, the council has maintained contracts with local providers for community based support. In due course, contracts nearing the end of their term must be re-procured according to the council's procurement regulations and procurement law. This process will allow us to consider needs, policy and practice and assess whether services should be adjusted to meet the presenting needs of our residents. The design of services commissioned by the council is done in consultation with partners, both statutory and non-statutory, residents and people with lived experience.

Supplementary question:
Herefordshire Women's Equality Group strongly supports community based support for victims recovering from domestic abuse. The Department of Housing, Levelling Up and Communities' funding is heavily focussed on accommodation. In my question, I provided compelling evidence of the need for community based support. In 2022 one third of all referrals to Herefordshire domestic abuse services were for such support. This shows such clear and consistent evidence of significant demand for community-based support. What further evidence is needed? Will Herefordshire Council give assurance that such support will be included in their service model for the future?

Response to supplementary question (cabinet member health and adult wellbeing):
The re-procurement strategy will consider what services are needed, which could result in more community-based support. Consultation will be undertaken with a partners, residents and people with lived experience. The budget proposals did not include any changes to funding for domestic abuse services.

PQ 6	Ms Attfield, Bromyard	In 2021, West Mercia Rape and Sexual Abuse Support Centre temporarily closed counselling waiting lists to children and adults when funding shortfalls meant wait times exceeded two years. There are fears the same might happen again. A recent media article stated caseloads over capacity, therapy service cut to the bone, and significant funding shortfalls for the new financial year. Without additional funding staffing will be cut and waiting lists risk closure again.	Cabinet member health and adult wellbeing
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		Rape Crisis England and Wales said long-term, sustainable funding for specialist support and advocacy services was “more urgently needed than ever”. Not to fund such services puts pressure on other services eg. mental health. The budget proposes a £6.1m cut to Community Wellbeing. How will the Council ensure these much needed services are sustainably funded, so that survivors of rape and sexual violence are not turned away?	
Response: Herefordshire Council is committed to supporting the strategic priorities of Herefordshire Community Safety Partnership, as outlined in their strategy for 2021/2024, which specifically include violence against women and girls and sexual violence, and the council’s public health team is leading on this work. It is important to state that the council is not directly responsible for funding specialist counselling services and therefore, the budget proposals will not impact this provision. However, the council continues to work in partnership with West Mercia Police, the Police Crime Commissioner and local health services to facilitate the development of systems and services which promote early access to specialist support.			
PQ 7	Ms Barraclough, Hereford	As a trustee of West Mercia Women's Aid, I am deeply concerned about the proposed transformation of domestic abuse services. Domestic abuse is fundamentally about the use of physical, structural, and economic advantage and entitlement, to torment, control and exploit a person who thought they were in a relationship built on trust and love. Empowerment and empathy are essential for the delivery of effective support and sustained recovery. The domestic abuse sector is well-known for its grass-roots origins where those affected by domestic abuse themselves – either directly or indirectly – have taken the lead in both developing and delivering services. To what extent will the Council ensure that their new delivery model retains this principle of co-production with survivors themselves and ensure that services are delivered by organisations that truly represent those with lived experience?	Cabinet member health and adult wellbeing
Response: The council is committed to coproduction and the design of services commissioned by the council is done in consultation with partners, both statutory and non-statutory, residents and people with lived experience. In terms of current support for domestic abuse, the council is commissioning community based support and support in safe accommodation through contracts with the voluntary sector and housing sector providers. The council has not proposed any service transformation that deviates from this model. In due course, contracts nearing the end of their term must be re-procured according to the council’s procurement regulations and procurement law. This process will allow us to consider needs, policy and practice and assess whether services should be adjusted to meet the presenting needs of our residents. Any redesign will be undertaken in line with our commitment to coproduction.			
PQ 8	Ms Currie, Hereford	How much is in the budget to cover (a) the cost of independent reviews into historic failings in Children’s Services (b) why is there no obvious money ring fenced for compensation for families affected?	Cabinet member children and families
Response:			

An initial review work budget of £14k was allocated and the council is now proposing to work with the Children’s Commissioner and local Safeguarding Partnership to put in place a listening to families Commission. The Commission will consist of 3 individuals, not connected to Herefordshire Council, with appropriate knowledge and experience, identified by the Children’s Commissioner. The purpose of this Commission is to:

1. To give parents and families an opportunity to tell their story to an independent panel.
2. To identify any steps that the Council and partners can and should take as a result of hearing families’ testimonies, either in relation to individual cases or in respect of general issues.
3. To learn from their experience and to ensure that that knowledge is used to inform improvements to children’s services.
4. To ensure that, as far as possible, families feel that their concerns have been listened to and responded to, and that this is as much as can be done to resolve matters.

At this stage no budget has been allocated but the council will meet the full costs of the commission once these have been identified.

Any claim for compensation is reviewed on its own merit and reparatory action is taken as appropriate. We currently do not have monies specifically earmarked for any potential future compensation claims.

PQ 9	Ms Albright, Leominster	<p>The independent Lichfield Report commissioned in 2022 suggested that Herefordshire Council has already lost over £100 million of direct revenue as a result of the 40 month housing moratorium preventing all new homes in the North of the County. The catastrophic losses increase every passing month and are not recoverable.</p> <p>This is in addition to the many hundreds of millions of wider county inward investment lost and the lost jobs, diminished opportunities, entrenched hardship and the lost provision of much needed housing, including hundreds of funded Affordable Homes.</p> <p>What hope and guidance can Herefordshire Council offer those working in the unjustly beleaguered local construction sector, and to those who might consider locating their business here or those who wish to have a home here?</p>	Cabinet member finance, corporate services and planning
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Response:

Thank you for your question Ms Albright. I agree that the consequence of the build-up of phosphate and other forms of pollution in the Wye has been a virtual moratorium on development within the River Lugg sub-catchment (~40% of the county’s land area)

I also fully recognise and sympathise with the severe impact the moratorium has had, and continues to have, on the local construction industry. It is wrong that this pollution has happened. We want the moratorium to end. However, the sad reality is that while it remains in place, developers need to mitigate the environmental impact of their developments because that is the law. Laws to protect our environment are a good thing and are here to stay.

The council continues to lobby government to seek a long-term solution to the phosphate pollution issue, which is not of our making and is outside of our direct control.

The council has delivered the first of its wetland areas which will – for the first time ever – enable the trading of phosphate credits with nutrient certainty, enabling housing development to progress in the catchment at a faster rate than has been possible in recent years. We have at least three further wetlands being planned and we completed this week on the purchase of land for one of these at Tarrington. It is worth noting that despite the moratorium some 340 houses have been approved for development within the Lugg catchment since the moratorium has been in place.

Under the present Nutrient Management Plan, with its purely voluntary arrangements, our assessment is that it will take a decade or more before the river returns to a reasonable condition - and quite possibly never. This is an untenable situation and a step-change is needed in preventing further pollution and in addressing historical pollution.

The Cabinet Commission for Restoring the Wye has identified a road map to deliver that step-change and we will shortly be publishing our Prospectus. The evidence we have seen to date suggests that we can get out of “the moratorium” much, much quicker than nutrient management practices could ever achieve, but a lot of work needs to be done across many agencies and the community stakeholders to deliver change at pace.

To end the moratorium we need two things “regulatory certainty” and “scientific certainty.” We are currently validating our proposals and taking legal advice before publishing them. We believe our proposals will create that regulatory certainty. However, there also then needs to be scientific certainty beyond reasonable doubt.

To that end, the Cabinet Commission is developing a delivery programme, called “Project Ranunculus” after the Water Crowfoot for which the Wye is famed. This project seeks to coordinate the scientific and regulatory evidence and to keep it under constant oversight so that the statutory conservation body, Natural England, can allow the lifting of the moratorium on development at its earliest opportunity.

If the approach detailed in the Prospectus is accepted by DEFRA, we will say more as the business case develops. We can give no firm dates, but what these proposals will offer is far better and offers greater certainty than the loose arrangements we have now. We also give a firm commitment to drive this forward with energy and have the determination to overcome whatever obstacles are presented to us. We hope, that when our Prospectus is published that the local construction industry and its representatives will join us in advocating for the changes we seek to bring.

In addition to our focussed action on river restoration, the council continues to explore every possible avenue to support business and to improve the economic prospects for Herefordshire. The cabinet approved the county’s Big Economic Plan in January, setting out a long term vision and the huge range of opportunities we have for the future. We are consulting on the Hereford City Masterplan, and are preparing for the consultation on the Local Plan Update in the summer, both of which will identify development opportunities across the entire county.

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PQ 10	Mr Franklin, Bromyard	<p>Most savings proposals within the proposed budget raise one or both of two concerns:</p> <p>(a) it is unclear what is being proposed and how this will affect Herefordshire residents e.g, S2, S3, S4, S7, S12, S16 or</p> <p>(b) there is no indication how the objectives are to be achieved e.g., S14, S18, S19, S28</p> <p>My questions are:</p>	Cabinet member finance, corporate services and planning
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| | | <p>(a) how confident can I be that Councillors will know exactly what they are voting for or against?</p> <p>(b) have the budget proposals been properly scrutinised by an independent third party e.g., auditor or "critical friend"?</p> <p>(c) for future years, and well before the budget meeting, can residents be clearly informed of the proposals and what they will mean to them in practical terms.</p> <p>(d) could the same level of detail be provided to residents following the setting of 2023/24 budget?</p> | |
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Response:

(a) how confident can I be that Councillors will know exactly what they are voting for or against?

The process for developing the budget is set out in Part 4, Section 3 of the Council's Constitution. This process ensures a clear timetable for making proposals to Council for the adoption of any plan, strategy or programme that forms part of the budget and policy framework, and its arrangements for consultation after publication of those initial proposals. Chairpersons of scrutiny committees are responsible for ensuring that the relevant committee work programmes include consideration of any such plan, strategy or budget to enable scrutiny members to inform and support the process for making cabinet proposals to Council in terms of the adoption of any item that forms part of the budget framework. This includes scrutiny members providing constructive challenge to the responsible cabinet member on policy proposals and exploring options for future policy development. Councillors have been engaged in the budget setting process for 2023/24 and there have been opportunities to query, challenge and inform this work throughout the development of the 2023-24 budget which began in July 2022.

(b) have the budget proposals been properly scrutinised by an independent third party e.g., auditor or "critical friend"?

The proposed budget for 2023/24 was presented to Scrutiny Management Board (SMB) at its meeting on 19 January 2023 where Councillors challenged the robustness of the estimates and assumptions in the budget and the deliverability of savings targets. The SMB has the remit under the Council Constitution to carry out scrutiny of the Council budget and the process for scrutiny of budget proposals is set out at Part 4, Section 3 of the Herefordshire Council Constitution: 4.3.3 Process for developing framework items. The SMB received training to assist members in the undertaking of budget scrutiny and the committee advised by independent financial experts in relation to Treasury Management.

The 2023/24 budget is not formally audited however the council's financial planning and budget setting processes are subject to review as part of the external auditor's Value for Money work which considers how the council identifies significant pressures and achievable savings as well as risks to financial resilience. The results of this work are formally reported in the Auditor's Annual Report which is presented to Audit & Governance Committee. The Council's external Auditors are Grant Thornton.

Under the terms of Section 25 of the Local Government Act 2003, the Council's Section 151 Officer is required to report to the council, at the time when it is setting its budget, on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides. Council has a statutory duty to have regard to this report from the Section 151 Officer when making its decision about the proposed budget and council tax.

(c) for future years, and well before the budget meeting, can residents be clearly informed of the proposals and what they will mean to them in practical terms.

A series of 12 local public consultation events were held between 25 November and 17 December 2022 on the draft budget. Additional engagement with community groups took place through a Community Partnership event and an event with the business community. The consultation presented high-level options to contribute towards balancing the council’s budget for 2023/24 and their likely impact. The proposed budget and supporting appendices - which include identified pressures, assumptions and detailed Directorate Savings Plans - were made publicly available via the council's website from early January 2023.

(d) could the same level of detail be provided to residents following the setting of 2023/24 budget?

The budget for 2023/24 and supporting appendices will be available on the council's website following its approval. Performance and delivery of the agreed budget will be reported in 2023/24 as part of the Budget & Performance Reports which are presented to Council quarterly.

Supplementary question:

Thank you for your detailed reply. Section 4.3 of the constitution covers procedures for consultation after publication of initial budget proposals. Consultations re priorities and high level options and then just “making available” the budget proposals on the Council’s crowded website are welcome and may comply with section 4.3 but surely we could do better. Would the Council consider amending procedures for future to offer greater transparency, seek consultee response at a more detailed level and better publicise the proposals to residents?

Response to supplementary question (cabinet member finance, corporate services and planning):

Improvements to consultation processes were always encouraged to enhance the understanding of local residents to issues as important as the budget. The late announcement from central government of funding for the council impacted upon the budget setting process. The draft budget was shared with the scrutiny management board and the public had the opportunity to submit questions on the detailed proposals from early in January 2023. This was the earliest date possible that a detailed set of budget proposals could be published given the timing of the announcement of the central government settlement.

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PQ 11	Ms Reid, Hereford	<p>Base budgets of 2022-23 and 2023-24 (Appendix C, Item 10):</p> <ul style="list-style-type: none"> • Looked-After Children (LAC) budget has increased from £25.737m to £28.724m (+11.6%) • However, Children in Need budget has decreased from £4.568m to £2.930m (-35.9%) <p>There were 392 LAC (October 2022). Therefore, the estimated cost per child in care in 2023-24 is over £73,000 (£73,276) ie £28.724m divided by 392.</p> <p>LAC can be reduced by reunification and relatively inexpensive family support and statutorily-recommended Family Group Conferences. FGCs would reduce costly care proceedings (about twice the rate of other areas). The directorate plans to make reduce spending by "reduction in numbers of children coming into our care", it does <u>not</u> mention reunification, FGCs, nor family support.</p> <p>Explain how the base budget for CIN in 2023-24 will be cut from 2022-23 with figures and descriptors (eg number/type of staff/service/£ reduced).</p>	Cabinet member children and families
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Response:

The reduction in budget for Children in Need does not represent reduced focus in this area. The movement between 22/23 and 23/24 budgets reflects plans across the Directorate to reduce reliance on agency staff to deliver services and to move to a permanent staffing establishment. Detailed plans will be managed and monitored as part of routine monitoring of savings in 2023/24 and these will be publicly reported through Cabinet and Council.

Supplementary question:

The response suggests that the Children in Need budget is decreased (-35.9%) in 2023-24 because of more permanent staff. How come the budget for Early Help and Early Years (+21%) and Additional Needs (+137%) have increased? The new Improvement budget is £4,746,000. Looked-After Children (LAC) budget has increased from £25.737m to £28.724m (+11.6%), estimated average cost £73,000 per child per year. Support for families is relatively inexpensive and reduces LAC. I suggest the Children in Need budget is increased.

Also Family Group Conferences will reduce LAC but the Improvement Plan sent to Ofsted was not amended to:

“[FGC] targeted for implementation by April 2023”

As agreed by the Cabinet, but to:

“Determine FGC model and approach by April 2023”.

Please fully answer my original question eg number of workers in both years for Children in Need.

Response to supplementary question (cabinet member children and families):

A written response would be provided after the meeting.

Written response provided – 10 March 2023

The 2022/23 budget includes 88.4 full time equivalent posts in Children in Need representing £4.1m of expenditure. The 2023/24 budget includes 89.14 full time equivalent posts in Children in Need representing £4.5m of expenditure. There is no reduction in the budgeted staffing establishment for this service between 2022/23 and 2023/24. The reduction in total budget for this area relates to the presentation of the £2m savings requirement across the Children & Young People Directorate for 2023/24 which were included in Appendix B: Directorate Savings Plans 2023/24 presented to Council at the Budget Setting meeting on 10 February 2023.

Per Appendix B: Saving Proposal S19 (£2m) relates to ‘Recruitment and Retention’: Reduction in reliance on agency staff and move to a permanent staffing establishment. Gradual withdrawal of previously added additional capacity. Revised Workforce Strategy. (Each of these key areas of focus are inextricably linked to progress of the wider Children’s Improvement Plan).